

REMARKS/ARGUMENTS

I. Introduction:

Claims 22, 25, 42, 44, 49, and 54 are amended, claim 56 is added, and claims 1, 3-16, 27-30, and 51-53 are canceled herein. Claims 31-41 have been withdrawn from consideration by the Examiner as being directed to a non-elected distinct invention. Claim 2 has previously been canceled. With entry of this amendment, claims 17-26, 42-50, and 54-56 will be pending.

Applicants acknowledge the allowance of claims 19, 20, 26, and 47-50, and the subject matter of claims 22 and 44. Claim 22 has been amended to include the limitations of base claim 17 and claim 44 has been amended to generally include the limitations of base claim 42. As amended, claims 22 and 44 are believed to be in proper form for allowance.

II. Restriction Requirement:

Applicants affirm the election of claims 1, 3-30 and 42-55 without traverse.

III. Drawings:

The drawings are objected to for not showing check valves. Fig. 14 has been added to schematically show a check valve forming a flow restriction device at a reaction well. The check valve is described on page 15, lines 18-20. No new matter has been added.

IV. Claim Rejections Under 35 U.S.C. §112::

Claims 25 and 49 have been amended to clarify that the reactions wells comprise vials for receiving components for the reaction. Claims 25 and 49, as amended, are believed to comply with the requirements of 35 U.S.C. 112.

V. Claim Rejections Under 35 U.S.C. §102:

Claims 42, 43, 45, 46, 51, 54, and 55 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,792,430 (Hamper).

Hamper discloses a solid phase organic synthesis device with a pressure regulated manifold. The device includes a manifold 12 having a pressure port 24 and vacuum port 26, a heating block 16, and a plate 14 which separates a chamber 18 formed by the manifold 12 from the heating block (Figs. 1 and 2). The plate 14 and heating block 16 include aligned openings 33, 52 for receiving flow through reaction vessels 54 (Fig. 3). Collection vials 62 are placed within the manifold 12 below the flow through vessels 54 to collect products removed from solid phase resins within the vessels (Fig. 4). As shown in Fig. 13, the flow through vessels may be removed from the plate 14 and a cover 63 placed over the manifold 12. The cover 63 includes an opening for receiving a gas line 65 to provide a flow of inert gas for evaporation of volatile components in vials 62.

Claims 42 and 54 have been amended to specify that the material and structure of the pressure chamber is such that the chamber is operable to sustain an operating pressure of at least 40 psig.

Applicants respectfully submit that the apparatus as set forth in claim 1 is not anticipated by the Hamper patent. The importance of the explicit description in Hamper of the use of the apparatus for solid phase synthesis is that pressurization substantially above atmospheric pressure is not required. Furthermore, as is clear from the drawings and description of the apparatus, the apparatus is not designed to sustain pressure substantially above atmospheric pressure, and especially not greater than 40 psig. As noted at col. 8, lines 1-3, pressure of the gas entering the vials 62 is kept below 2 psig to avoid over-pressure in the device. In contrast to the solid phase organic synthesis device of Hamper, applicants' apparatus is designed to sustain an operating pressure of at least 40 psig and can be used, for example, for gas polymerization.

Accordingly, claims 42 and 54, and claims 43, 45, and 46, depending directly from claim 42, are submitted as patentable over Hamper.

Claims 17, 18, 21, 23-25, 42, 43, 45, 46, 51, 54, and 55 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,011,779 (Maimon).

Maimon discloses an apparatus for rapid deposition of test samples on an absorbent support. Figs. 5 and 6 illustrate a punch apparatus for use in detaching and separating a plurality of test sample spots absorbed on an absorbent assay support. The punch device includes a base 200 in which a sheet of nitrocellulose paper 4 with discrete test samples 10 is placed. A member 201 is provided with individual punch members 202 for punching out paper discs, each of which is arranged to circumscribe one of the absorbed test samples 10. Openings 203 are formed in the base 200 so that the punched samples can be removed from the punch device. An air blow nozzle 204 is mounted at the top of the hinged member 201 to blow air from an air tube 211 through the punch member 202 via a manifold 210 to facilitate passage of the punched samples through the openings 203 and into tubes 205 arranged in a rack 206 positioned below the base 200.

Claims 17, 42, and 54 are directed to an apparatus for use in parallel reaction of materials and generally comprise, among other things, a base having a plurality of reaction wells, a cover configured for sealing engagement with the base to define a common pressure chamber in communication with the reaction wells, an inlet port for supplying pressurized fluid to the chamber, and a flow restriction device comprising flow passageways to provide fluid communication between the reaction wells and the pressure chamber while reducing cross-talk between the reaction wells. The housing is configured to sustain a pressure substantially above atmospheric pressure.

The device shown in Fig. 6 of the Maimon patent is simply a device for use in punching samples from a sheet and inserting them into individual vials. Inlet 204 provides an opening to blow air into the device and force the punched samples into the reaction wells. As shown in Fig. 6, no gaskets or sealing means are provided between the hinged member 201, base 200, or rack 206. The apparatus is not configured to sustain any significant pressure.

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Accordingly, claims 17, 42, and 54 are submitted as not anticipated by Maimon. Claims 18, 21, 23-25, depending from claim 17, claims 43, 45, 46, 51, depending from claim 42, and claim 55, depending from claim 54, are also submitted as patentable over Maimon.

VI. Conclusion:

In view of the foregoing, claims 17-26, 42-50, and 54-56 are submitted as patentable over the prior art of record. Accordingly, favorable reconsideration and allowance of this application is requested. If the Examiner feels that a telephone conference would in any way expedite prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8695.

Respectfully submitted,



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